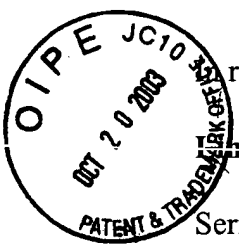


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



re PATENT APPLICATION of

Linda HARRIS and Steve GLEDDIE

Examiner: David H. Kruse

Serial No.: 09/725,957

Group Art Unit: 1638

Filed: November 30, 2000

For: **TOLERANCE OF TRICHOTHECENE MYCOTOXINS IN PLANTS  
THROUGH THE MODIFICATION OF THE RIBOSOMAL PROTEIN L3 GENE**

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Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

DECLARATION UNDER 37 CFR 1.131(a)

I, Linda Harris, co-applicant for the above identified patent application, declare as follows:


1. That some time on or prior to August 11, 1997 I, together with co-applicant Steve Gleddie, conceived the idea of modifying a nucleic acid where in the wild type form of said nucleic acid encodes a ribosomal L3 protein, where the modified nucleic acid when transformed into a host plant will provide the transformed plant with increased resistance against trichothecene mycotoxins.
2. The conception of the present invention and eventual reduction to practice occurred in Canada.
3. The date of conception prior to August 11, 1997 was determined by a draft patent application received from our patent agent which describes the invention, based on the experiments conducted by me or co-applicant Steve Gleddie, or under our direction. Exhibit 1 is

a copy of the draft manuscript which was forwarded to me by our patent agent. The date of this draft application has been deleted from the Exhibit.

4. It is further declared that the accompanying Exhibit may not be a complete record of applicants' data concerning the invention of the instant patent application and is not necessarily meant to represent the earliest date of conception. The accompanying Exhibit is presented solely to prove a date of invention prior to the date of Bohn et al (August 11, 1997), prior art cited by the Examiner in the Office Action dated April 18, 2003.

The declarant further states that the above statements are made with the knowledge that willful false statements and the like are punishable by fine and/or imprisonment, or both, under Section 1001, Title 18 of the Unites States Code, and that any such willful false statement may jeopardize the validity of this application or any patent resulting therefrom.

Date: Sept. 24, 2003

  
Linda Harris .